

RYAN KERWIN

FILED

) CASE #05-93 ERTE

VS.

FEB - 4 2008

) DISTRICT JUDGE SEAN MCLAUGHLIN

LT. WILLIAM MCCONNELL

CLERK OF COURT
WEST. DIST. OF PA.

MOTION FOR TRANSCRIPTS

1. AT THE CONCLUSION OF DELIBERATIONS, ON NOVEMBER 28, 2007, THE JURY IN THE ABOVE CAPTIONED CASE RETURNED A \$105,000.00 VERDICT IN FAVOR OF PLAINTIFF.
2. THE DEFENDANT HAS SINCE FILED POST VERDICT MOTIONS CHALLENGING BOTH THE VERDICT AND THE DAMAGE AWARD.
3. PLAINTIFF IS NOW IN NEED OF THE COMPLETE TRIAL TRANSCRIPTS FROM NOVEMBER 26, 27 AND 28, 2007 IN ORDER TO PROPERLY DEFEND HIS VERDICT AND DAMAGE AWARD ON APPEAL.
4. AS PLAINTIFF IS THE VERDICT WINNER IN THIS CASE, THE DEFENDANT IS RESPONSIBLE FOR ALL COSTS ASSOCIATED WITH ITS LITIGATION.
5. PLAINTIFF IS ALSO AN INDIGENT PRISONER WHO IS PROCEEDING IN FORMA PAUPERIS IN THE ABOVE ACTION AND CANNOT AFFORD THE COSTS OF TRANSCRIPTION.
6. PLAINTIFF IS NOW A PRISONER AGAIN BECAUSE HE WAS TAKEN FROM HIS COMMUNITY CORRECTIONS CENTER AND BROUGHT BACK TO PRISON BY THE D.O.C. ON A FABRICATED MISCONDUCT THAT WAS FILED AGAINST HIM IN RETALIATION FOR WINNING THE VERDICT IN THE ABOVE CASE.
PLAINTIFF SUBSEQUENTLY PROVED THE RETALIATORY MISCONDUCT USED TO BRING HIM BACK TO PRISON TO BE FALSE AT HIS MISCONDUCT HEARING CAUSING IT TO BE DISMISSED. ANOTHER ENTIRELY UNRELATED FABRICATED AND RETALIATORY MISCONDUCT WAS THEN FILED AGAINST PLAINTIFF TO MAKE SURE HE STAYS IN PRISON. PLAINTIFF WAS FOUND GUILTY OF THE SECOND MISCONDUCT RESULTING IN ANOTHER YEAR IN PRISON AND 90 DAYS IN THE RESTRICTED HOUSING UNIT.
(APPARENTLY \$100,000.00 IN PUNITIVE DAMAGES WAS NOWHERE NEAR ENOUGH TO DETER THE D.O.C. AND ITS EMPLOYEES FROM CONTINUING TO RETALIATE AGAINST PRISONERS WHO EXERCISE THEIR FIRST AMENDMENT RIGHTS.)

WHEREFORE, PLAINTIFF RESPECTFULLY REQUESTS THAT THIS HONORABLE COURT PROVIDE HIM WITH A COPY OF THE TRIAL TRANSCRIPTS FROM NOVEMBER 26, 27 AND 28, 2007 AND ASSESS ALL COSTS RELATED THERETO UPON THE DEFENDANT.

1/30/08

Ryan Kerwin

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DZ0246

S.C.I. GRATERFORD

P.O. BOX 244

GRATERFORD, PA. 19426-0246

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)

CERTIFICATE OF SERVICE

I HEREBY DECLARE THAT I MAILED A TRUE AND CORRECT COPY OF THE ATTACHED MOTION FOR TRANSCRIPTS TO THE DEFENDANT'S COUNSEL AT THE FOLLOWING ADDRESS:

TRACEY WILSON AND DOUGLAS BARBOUR
OFFICE OF ATTORNEY GENERAL
6TH FLOOR, MANOR COMPLEX
564 FORBES AVE.
PITTSBURGH, PA. 15219

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